IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**HON'BLE SRI BILAL NAZKI,**

**THE ACTING CHIEF JUSTICE**

**and**
**HON'BLE SRI JUSTICE G.CHANDRAIAH**

**WRIT PETITION NO : 8992 of 2005**

Between:

1 Tela Krishna Murthy, S/o.Venkataramaiah,
R/o.D.No.10/674, Gudivada, Krishna District.
2 Vangapandu Venkateswara Rao, S/o.Somulu,
R/o.D.No.13/42, Gudivada, Krishna District.
3 Boppana Annapurna, W/o.Satyanarayana,
R/o.Patimeeda, Gudivada, Krishna District.
4 Vankineni Annapurana Devi, W/o.Nageswara Rao,
C/o.Chitti Babu Bypass Road, Gudivada, Krishna
District.
5 Palakurthi Satyanarayana, S/o.Suryanarayana,
R/o.D.No.11/138 D2F1, Medarla Bazar, Gudivada
Krishna District.
6 Gorla Babu Rao S/o.Somaiah,
R/o.D.No.10/118, Eluru Road, Gudivada Krishna
District.
7 Dronadula Sathvi Kumar, S/o.Raveendranath,
R/o.D.No.10/118, Eluru Road, Gudivada Krishna
District.
8 Gorla Ramamohan Rao, S/o.Somaiah,
R/o.D.No.10/119 Eluru Road, Gudivada, Krishna
District.
9 Gorla China Veeraraju, S/o.Ramaiah,
Nagavarapupadu, Eluru Road, Gudivada, Krishna
District.
10 Merugumala Bapaiah, S/o.Ramabrahmaiah,
R/o.Nagavarapadu, Eluru Road, Gudivada, Krishna

District.
11 Midugumala Brahmaiah, S/o.Rama Rao,
R/o.D.No.11/406/1A,Nagavarapadu, Eluru Road,
Gudivada, Krishna District.

12 Pandi Vasantha Kumar, S/o.Venkateswarlu
R/o.D.No.10/426,Nagavarapadu, Eluru Road,
Gudivada, Krishna District.

**..... PETITIONERS**

AND

1 The District Collector, Krishna District at
Machilipatnam.
2 The Mandal Revenue Officer, Gudivada Mandal,
Krishna District.
3 The Executive Engineer, Irrigation Department,
Machilipatnam, Krishna District.
4 The Assistant Engineer, Irrigation Department,
Gudivada, Krishna District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the respondents in assigning the land in sy.no.168, 172, 173, 174, of Nagavarapupadu village, Gudivada Mandal, Krishna district, for the purpose of construction of houses, as illegal and arbitrary and contrary to the provisions of the board standing orders and pass such other or further orders as the Hon'ble court feels deem fit and proper in the facts and circumstances of the case.

**Counsel for the Petitioners : MR.O.MANOHER REDDY**

**Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE**

**Counsel for the respondent Nos. 3 & 4: None appeared.**

**The Court made the following :**

*Form-NIC-OGS/WP{**JA**}*

## ORAL ORDER:

**( per Hon’ble The Acting Chief Justice )**

**…..**

1 . The writ petition has been filed seeking to declare the action of the respondents in assigning the land in Sy.Nos.168, 172, 173, 174 of Nagavarapupadu village, Gudivada Mandal, Krishna District, as illegal as the land was basically a tank poramboke.

2. In the counter-affidavit it is stated that the Government has already decided to cancel 30 pattas granted in the said survey numbers keeping in view the future requirement of the site to the Irrigation Department. It is also admitted in the counter that the land is adjacent to a canal and therefore it could not have been allotted or assigned.

3 . In view of the undertaking given by the Government in the counter, no further orders are

necessary to be passed. Accordingly writ petition is disposed of. No costs.

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**BILAL NAZKI. ACJ.,**

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**G. CHANDRAIAH. J.,**

**Dated: 21.06.2005.**

**VRK.**

To

1 The District Collector, Krishna District at Machilipatnam.
2 The Mandal Revenue Officer, Gudivada Mandal, Krishna District.
3 The Executive Engineer, Irrigation Department, Machilipatnam, Krishna District.
4 The Assistant Engineer, Irrigation Department, Gudivada, Krishna District.

5. Two CCs to G.P., for Revenue, High Court Buildings, Hyderabad (OUT).

6. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

7. The Secretary, A.P. State Legal Aid & Advisory Board, High Court Buildings, Hyderabad.

8. The Secretary to Government of A.P., Home Department, Secretariat, Hyderabad.

9. Two CD copies.

**HON'BLE SRI BILAL NAZKI,**

**ACTING CHIEF JUSTICE**

**AND**

**HON'BLE SRI JUSTICE**

**G. CHANDRAIAH.**

**W.P.NO. 8992 OF 2005.**

**( Order of the Bench delivered by**

**Hon'ble The Acting Chief Justice )**

**Dt: 21.06.2005.**

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